

three years, when such controls are in the public interest.

(j) Costs for providing permanent relocation assistance and real property acquisition when in accordance with Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 9615) and FEMA regulations and criteria issued pursuant thereto. These costs include:

(1) Costs for exercising the power of eminent domain to obtain real property interest;

(2) Costs for the filing and recording of deeds in the recorder's office;

(3) Costs for the review of all sales contracts, title insurance commitments and deeds regarding the conveyance of real property interests prior to the purchase of such real property interests; and

(4) Costs for the development and implementation of a property acquisition and permanent relocation assistance program. These include, but are not limited to the following costs:

(i) Development of a permanent relocation analysis;

(ii) Development and implementation of a community relations program;

(iii) Title searches and appraisals for property within the boundaries of the project;

(iv) A relocation assistance advisory program;

(v) Title reviews, settlements and closings associated with properties located within boundaries of the project;

(vi) The preparation of offers of compensation;

(vii) Acquisition of properties;

(viii) Costs for administrative settlements;

(ix) Costs for relocation assistance; and

(x) Costs for replacement housing payments.

(k) Costs for providing temporary relocation assistance in accordance with FEMA policies which include: Negotiating leases, rent reimbursements, moving expenses, essential utility costs at original residence, food subsidy during transient accommodations, rental of essential furniture, and kennel costs.

§ 222.8 Ineligible costs.

(a) Regular salaries or wages of state employees, other than police or fire personnel, whose duties do not change or are not directly associated with the permanent or temporary relocation are ineligible.

(b) Replacement of revenue lost as a result of contamination in the project area are not eligible.

(c) Costs associated with potential litigation as a result of the states' pursuit and recovery of the states' cost share.

§ 222.9 Appeals.

(a) The Assistant Associate Director, Disaster Assistance Programs, State and Local Programs and Support, shall be responsible for making all policy determinations regarding Superfund cost-sharing eligibility for permanent and temporary relocation. The allowability of matching contributions, particularly those not covered in this regulation, will also be determined by the Assistant Associate Director.

(b) Appeals from the determinations of the Assistant Associate Director may be made to the Associate Director, State and Local Programs and Support.

PARTS 223-299 [RESERVED]